

Message Text

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ORIGIN EUR-12

INFO OCT-01 ISO-00 EB-07 CIAE-00 DODE-00 PM-04 H-01 INR-07
L-03 NSAE-00 NSC-05 PA-01 PRS-01 SP-02 SS-15 USIA-06
IO-13 FAA-00 DOTE-00 ACDA-07 /085 R

DRAFTED BY EUR/CE:JKORNBLUM:DHT

APPROVED BY EUR:RDVINE

EUR/CE:LHEICHLER

EUR/CE:SKLIN;AMAN

EB/OA:JMAGNOR

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P 092352Z DEC 76

FM SECSTATE WASHDC

TO AMEMBASSY BONN PRIORITY

AMEMBASSY BERN PRIORITY

C O N F I D E N T I A L STATE 299836

E.O. 11652: GDS

TAGS: PFOR, EAIR, WB, GW, GE, SZ, US, UR, UK, FR

SUBJECT: INTERFLUG OVERFLIGHTS OF THE FRG

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REF: USBERLIN 2615; BONN 10573; USBERLIN 2624;
BERN 5551; BONN 20677

1. DEPARTMENT CONSIDERS POSSIBILITY OF INTERFLUG OVER-
FLIGHT RIGHTS TO BE IMPORTANT FOR OVERALL CIVIL AIR
SITUATION IN BERLIN. WE AGREE WITH EMBASSY BONN THAT
CAREFUL CONSIDERATION SHOULD BE GIVEN TO THE MANNER IN
WHICH THE FRG RESPONDS TO THE GDR REQUEST. IN OUR VIEW
DISCUSSION OF THIS SUBJECT SHOULD TAKE
PLACE IN THE BONN GROUP WHICH HAS RESPONSIBILITY FOR THE
OVERALL BERLIN LEGAL SITUATION. COMMERCIAL AND CIVIL
AVIATION ASPECTS SHOULD, HOWEVER, CONTINUE TO BE DISCUSSED
IN THE BCATAG. OUR FINAL REACTION TO ISSUES RAISED IN
REFTELS WILL BE BASED ON OUTCOME OF THESE DISCUSSIONS.

2. FOR BONN: EMBASSY SHOULD MAKE THE FOLLOWING POINTS

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IN NEXT BONN GROUP DISCUSSION OF THIS SUBJECT:

A. AS THE FOREIGN OFFICE IS AWARE, THE QUESTION OF RECIPROCAL OVERFLIGHT RIGHTS (I.E. OF FRG AND GDR) HAS BEEN ONE OF THE MAIN ISSUES AFFECTING WESTERN EFFORTS TO INCREASE BERLIN'S INTERNATIONAL AIR CONNECTIONS. THE QUESTION HAS BEEN AN IMPORTANT ITEM OF BONN GROUP BUSINESS AT LEAST SINCE 1972, WHEN THE ORIGINAL OFFERS OF LANDING RIGHTS WERE MADE TO AUA AND SAS. THE DEPARTMENT IS CONCERNED ABOUT THE FACT THAT THE GDR WAS GIVEN AUTHORIZATION FOR INDIVIDUAL CHARTER FLIGHTS AND THAT CONSIDERATION OF THE EAST BERLIN-ZURICH SERVICE APPARENTLY WENT QUITE FAR WITHOUT THE SUBJECT BEING MENTIONED IN THE BONN GROUP. IT IS IMPORTANT THAT COORDINATION IMPROVE IN THE FUTURE.

B. A GRANT BY THE FRG OF OVERFLIGHT RIGHTS TO THE GDR REMAINS THE MAJOR CONCESSION AVAILABLE TO THE WEST IN OBTAINING GDR AGREEMENT TO ALLOW NON-THREE POWER CARRIERS TO OVERFLY ITS TERRITORY ON THEIR WAY TO TEGEL. EVEN THOUGH THE FRG DOES NOT INTEND TO CONCLUDE A CIVIL AVIATION AGREEMENT WITH THE GDR, THE FIRST AUTHORIZATION FOR A SCHEDULED SERVICE BY INTERFLUG OVER FRG TERRITORY COULD CREATE A PRECEDENT FOR FUTURE CASES. FOR EXAMPLE, ONCE THE FRG HAS GRANTED OVERFLIGHT RIGHTS FOR ONE SUCH SERVICE, OTHER WESTERN COUNTRIES MAY BECOME INTERESTED IN SIMILAR SERVICES INVOLVING INTERFLUG.

C. AS EMBASSY BONN HAS ALREADY POINTED OUT, A DIRECT SCHOENEFELD-ZURICH SERVICE COULD HAVE A NEGATIVE EFFECT ON THE PLANNED TEGEL-ZURICH SERVICE OF PAN AM AND BA. FURTHERMORE, IF FACED WITH THE PROSPECT OF A PROLIFERATION OF DIRECT SERVICES FROM SCHOENEFELD, THE ALLIED CARRIERS MAY LOSE INTEREST IN OTHER POSSIBLE DIRECT CORRIDOR SERVICES FROM TEGEL. PAN AM'S SCHEDULED SERVICES TO MUNICH WOULD PROBABLY ALSO BE AFFECTED. THE IMPACT OF EXISTING AND PLANNED CORRIDOR SERVICES IS IN OUR VIEW ONE ELEMENT WHICH THE FRG SHOULD CONSIDER CAREFULLY BEFORE MAKING A DECISION.

D. ESTABLISHMENT OF A DIRECT SCHOENEFELD-ZURICH SERVICE
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OVER THE TERRITORY OF THE FRG WILL MAKE IT MORE DIFFICULT FOR THE THREE POWERS AND THE FRG TO CONVINCE OTHER WESTERN CARRIERS THAT THEY SHOULD ATTEMPT TO MOUNT DIRECT SERVICES TO TEGEL ON A NORTH-SOUTH ROUTING ONLY. IF INTERFLUG IS ALLOWED TO FLY OVER THE FRG, CARRIERS SUCH AS KLM AND SABENA 'ILL WONDER WHY THEY CANNOT OBTAIN THE SAME PRIVILEGE ON THE ROUTE TO TEGEL. AS TH: FRG IS AWARE, THE EFFECT OF A PROLIFERATION OF SUCH SERVICES ON THE IGS

WOULD BE NEGATIVE.

E. THESE CONSIDERATIONS SUGGEST TO US THAT THE FRG SHOULD DRIVE A HARD BARGAIN BEFORE GRANTING OVERFLIGHT RIGHTS TO INTERFLUG FOR A SCHOENEFELD-ZURICH SERVICE, AND THAT THE LONG TERM EFFECT OF A POSITIVE DECISION SHOULD BE CONSIDERED CAREFULLY BY THE ALLIES AND THE FRG BEFORE ANY APPROVAL IS GIVEN. PENDING CLARIFICATION OF THE ISSUES INVOLVED, THE DEPARTMENT WOULD FIND IT DIFFICULT TO DETERMINE WHAT THE MOST APPROPRIATE COUNTER PROPOSAL TO THE INTERFLUG REQUEST WOULD BE. AT FIRST GLANCE, HOWEVER, WE BELIEVE REQUEST FOR A LUFTHANSA STOP AT TEGEL WOULD NOT BE SUFFICIENT. OVERFLIGHT RIGHTS TO ZURICH WOULD SEEM TO BE IMPORTANT ENOUGH TO THE GDR FROM BOTH A POLITICAL AND ECONOMIC POINT OF VIEW TO HAVE THEM PAY MORE FOR THE APPROVAL. ONE POSSIBILITY WOULD BE MOVEMENT ON PENDING REQUESTS BY OTHER WESTERN AIRLINES FOR OVERFLIGHT RIGHTS TO WEST BERLIH.

3. FOR BERN: DEPARTMENT HAS BEEN ASSURED BY SWISS EMBASSY IN WASHINGTON THAT SWISS WILL GRANT PERMISSION FOR PAN AM TO CONDUCT BERLIN-ZURICH SERVICE. SWISS EMBASSY HAS SUGGESTED THAT ONE FACTOR CAUSING DELAY WAS UNCERTAINTY AS TO WHETHER PAN AM REALLY INTENDED TO COMMENCE ZURICH SERVICE OR WHETHER APPLICATON WAS MEANT ONLY TO CHECK THAT OF BA.

4. AS SUGGESTED IN PARA. 9 OF BONN 20677, EMBASSY BERN SHOULD EXPRESS TO APPROPRIATE SWISS OFFICIALS OUR HOPE THAT PAN AM REQUEST WILL BE APPROVED SOON. IN MAKING APPROACH, EMBASSY SHOULD STRESS THAT PAN AM IS INTERESTED IN COMMENCING THE SERVICE AND THAT SWISS APPROVAL OF PAN AM APPLICATION IS NECESSARY BEFORE ALLIED CAA'S

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CAN TAKE FINAL DECISION ON REQUEST OF EITHER PAN AM OR BA TO COMMENCE SERVICE ON ZURICH ROUTE. ROBINSON

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Message Attributes

Automatic Decaptoning: X
Capture Date: 01 JAN 1994
Channel Indicators: n/a
Current Classification: UNCLASSIFIED
Concepts: CIVIL AVIATION, PRESS COMMENTS, FOREIGN RELATIONS, FLIGHT CLEARANCES
Control Number: n/a
Copy: SINGLE
Draft Date: 09 DEC 1976
Decaption Date: 01 JAN 1960
Decaption Note:
Disposition Action: RELEASED
Disposition Approved on Date:
Disposition Authority: GarlanWA
Disposition Case Number: n/a
Disposition Comment: 25 YEAR REVIEW
Disposition Date: 28 MAY 2004
Disposition Event:
Disposition History: n/a
Disposition Reason:
Disposition Remarks:
Document Number: 1976STATE299836
Document Source: CORE
Document Unique ID: 00
Drafter: JKORNBLUM:DHT
Enclosure: n/a
Executive Order: GS
Errors: N/A
Film Number: D760455-0945
From: STATE
Handling Restrictions: n/a
Image Path:
ISecure: 1
Legacy Key: link1976/newtext/t19761257/aaaabwtz.tel
Line Count: 156
Locator: TEXT ON-LINE, ON MICROFILM
Office: ORIGIN EUR
Original Classification: CONFIDENTIAL
Original Handling Restrictions: n/a
Original Previous Classification: n/a
Original Previous Handling Restrictions: n/a
Page Count: 3
Previous Channel Indicators: n/a
Previous Classification: CONFIDENTIAL
Previous Handling Restrictions: n/a
Reference: 76 USBERLIN 2615, 76 BONN 10573, 76 USBERLIN 2624
Review Action: RELEASED, APPROVED
Review Authority: GarlanWA
Review Comment: n/a
Review Content Flags:
Review Date: 03 NOV 2003
Review Event:
Review Exemptions: n/a
Review History: RELEASED <03 NOV 2003 by GarlanWA>; APPROVED <04 NOV 2003 by GarlanWA>
Review Markings:

Margaret P. Grafeld
Declassified/Released
US Department of State
EO Systematic Review
04 MAY 2006

Review Media Identifier:
Review Referrals: n/a
Review Release Date: n/a
Review Release Event: n/a
Review Transfer Date:
Review Withdrawn Fields: n/a
Secure: OPEN
Status: NATIVE
Subject: INTERFLUG OVERFLIGHTS OF THE FRG -
TAGS: PFOR, EAIR, WB, GE, GC, SZ, US, UR, UK, FR, INTERFLUG
To: BONN BERN
Type: TE
Markings: Margaret P. Grafeld Declassified/Released US Department of State EO Systematic Review 04 MAY 2006